



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

June 29, 2010

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: JOB ORDER CONTRACTS FOR  
MAINTENANCE, REPAIR, AND REFURBISHMENT OF COUNTY  
INFRASTRUCTURE AND FACILITIES  
ADOPT, ADVERTISE, AND AWARD  
SPECS. VARIOUS  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

This action is to adopt the Job Order Contract Unit Price Book and Specifications, advertise for bids to be received, and authorize award to the Lowest Responsive and Responsible Bidders for 20 separate Job Order Contracts.

**IT IS RECOMMENDED THAT YOUR BOARD:**

Find the award of Job Order Contract exempt from the California Environmental Quality Act; increase the amount for future Job Order Contracts from the current limit of \$4 million to a new limit of \$4.2 million to reflect annualized increases based on the California consumer price index from 2007 to 2009; adopt the June 2010 Job Order Contract Unit Price Book and Specifications; and instruct the Executive Officer to advertise for bids to be received for 20 separate Job Order Contracts on July 26, 2010; authorize the Director of Public Works or her designee to award and execute 20 separate Job Order Contracts in not-to-exceed amounts of \$4.2 million each to the Lowest Responsive and Responsible

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only*

Bidders; authorize the Director of Public Works or her designee to execute the Job Order Contracts in the form previously approved by County Counsel and establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by the contractors; authorize the Director of Public Works or her designee to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding authorization; delegate authority to the Director of Public Works or her designee to act on behalf of the Los Angeles County Flood Control District to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not-to-exceed the maximum amount of each Job Order Contract upon receipt of funding authorization from the Chief Executive Office or the appropriate funding authorization.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will find the project exempt from the California Environmental Quality Act (CEQA) and augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, and refurbish County infrastructure and facilities.

It is also recommended that your Board approve an increase to the maximum value of future Job Order Contracts (JOCs) from the current level of \$4 million to \$4.2 million to reflect the annualized increases based on the consumer price index as authorized by Public Contract Code Section 20128.5. The 1997 amendments to Public Contract Code Section 20128.5 provided that the maximum value could be adjusted upward on an annualized basis, based on the consumer price index. On June 4, 2008, your Board approved an increase in the value of JOCs to \$4 million. The applicable California consumer price index has increased by a net of 3.3 percent from 2007 to 2009. Increasing the annual limit will enable us to keep up with the rising cost of construction and maintain the viability of JOC as an alternative contracting method.

The JOC is a flexible, cost-effective unit price contracting method to accomplish maintenance, repair, remodeling, and refurbishment of County facilities and infrastructure without extensive plans and specifications. The State Public Contract Code allows JOCs to be valid for one year. Public Works will implement the Board-approved Local Worker JOC Program based on project location in accordance with the intent of the program. The proposed JOCs will be used for repair, remodeling, refurbishment, or other repetitive work, but not for new construction.

The aggregate requested amount of JOC authority is based on the anticipated need of repair, remodeling, refurbishment, and maintenance projects, including those of Public

Works' Road Maintenance and Flood Maintenance Divisions, as well as repair, refurbishment, and maintenance projects for other County General and Special Fund departments. In the past three years, Public Works awarded a total of 59 JOCs as summarized in the following:

Year	No. of JOCs	Total JOC authority	Total JOC authority spent	Percentage (%) authority spent
2007	26	\$100,800,000	\$70,466,429.73	69.9%
2008	12	\$ 46,000,000	\$40,511,997.33	88.0%
2009	20	\$ 80,000,000	\$19,884,231.42	24.8%

Public Works anticipates issuing nearly \$68.7 million in work orders during the year that the proposed contracts are valid, leaving the remaining \$15.3 million in authority as a reserve for unanticipated repair and maintenance projects. The amount of unspent JOC authority remaining at the time the one-year contract term expires is not carried-over.

This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs while meeting Federal, State, and County procurement requirements. The contracts will be publicly advertised for bids and awarded to the Lowest Responsive and Responsible Bidders in accordance with the State Public Contracting Code (see the Facts and Provisions/Legal Requirements and Contracting Process Sections for details and definitions).

We recommend your Board authorize the Director of Public Works or her designee to award 20 JOCs, each for a \$4.2 million not-to-exceed amount, to the Lowest Responsive and Responsible Bidder on each contract following bid review.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Organizational Effectiveness (Goal 3), by increasing our ability to manage fluctuations in workload in a responsive manner and provide responsive, efficient, and high-quality public service.

### **FISCAL IMPACT/FINANCING**

Maintenance, repair, remodeling, and refurbishment work will be financed through the appropriate maintenance, capital, refurbishment, or infrastructure project budgets. For capital projects and refurbishments, no work will be assigned to these JOCs without the prior review and funding verification from the Chief Executive Office (CEO) and the approval of the project scope and budget by your Board. For Public Works' infrastructure and maintenance projects, no work will be assigned to these JOCs without the appropriate funding authorization.

Public Works will work with the CEO to quantify any administrative costs attributable to the Local Worker JOC Program and present any necessary budgetary recommendations to your Board for approval.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contracts will be in the form previously reviewed and approved by County Counsel. The recommended contracts, JOCs 1010 through 1029, will be solicited on an open-competitive basis and in accordance with applicable Federal, State, and County requirements. The contractors will be in compliance with the CEO's and your Board's requirements.

The award of the contract will not result in unauthorized disclosure of confidential information, and will be in full compliance with Federal, State, and County regulations. The contracts will contain terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the proposers' minority participation will be on file with Public Works. The contractors will be selected upon final analysis and consideration without regard to race, creed, gender, or color.

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by demonstrating the attributes of trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the work required under the bid solicitation.

To ensure that the contracts are awarded to the lowest responsible contractors with a satisfactory history of performance, bidders will be required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractors' State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractors will be considered before making a recommendation to award.

The General Conditions, Specifications, and Unit Price Books include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **Local Worker Hiring JOC Program**

Monitoring of the Local Worker JOC Program will be provided by Public Works contract administration staff based on review of the JOC work site and individual labor hours in the local area to determine a percentage of hours worked by each of the specific work orders. The contractor will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of total work performed by local forces. Public Works will report the results of the Local Worker JOC Program to your Board each year as part of its annual resolicitation for JOC contractors.

### **ENVIRONMENTAL DOCUMENTATION**

This proposed action is exempt from CEQA because it can be seen with certainty that there is no possibility that approval of the project may have a significant impact on the environment pursuant to Section 15061(b)(3) of the State CEQA Guidelines. The proposed project is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The approval of the JOCs does not include approval of the work done pursuant to the contracts. The implementation of each work order under these JOCs shall be subject to prior determination and documentation by Public Works that the work is categorically exempt from CEQA. In the event the work is not exempt, your Board will be requested to approve the appropriate environmental finding and any applicable documentation pursuant to CEQA prior to implementation of work under the contracts.

### **CONTRACTING PROCESS**

As requested by your Board on February 3, 1998, the invitation for bids will be listed on the Doing Business with Us website.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts are for non-Proposition A services.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The use of these contracts will expedite the completion of maintenance, repair, and refurbishment of County infrastructure and facilities work managed by Public Works. Minor impacts to tenant departments may occur while maintenance, repair, and refurbishment work on County infrastructure and facilities is underway.

### **CONCLUSION**

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; and the Department of Public Works, Architectural Engineering Division.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:GF:SK  
DJT:RB:zu

Attachment

c: Executive Office, Board of Supervisors  
County Counsel  
Arts Commission  
Public Works

**ENCLOSURE**

**DEPARTMENT OF PUBLIC WORKS: JOB ORDER CONTRACTS FOR  
MAINTENANCE, REPAIR, AND REFURBISHMENT OF COUNTY  
INFRASTRUCTURE AND FACILITIES  
ADOPT, ADVERTISE, AND AWARD  
SPECS. VARIOUS  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper, or ten times in a daily newspaper. However, the first publication must appear at least 15 days prior to the bid opening date. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE  
INVITING BIDS**

Notice is hereby given that Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

**BID DEADLINES**

<b><u>SD</u></b>	<b><u>SPECS</u></b>	<b><u>PROJECT</u></b>	<b><u>BID DOC. FEE</u></b>	<b><u>DATE</u></b>	<b><u>TIME</u></b>
All	JOC Specs.	JOC 1010	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1011	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1012	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1013	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1014	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1015	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1016	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1017	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1018	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1019	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1020	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1021	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1022	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1023	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1024	\$15 or all for \$240	07/26/10	10:45 a.m.

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE</u>	<u>TIME</u>
All	JOC Specs.	JOC 1025	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1026	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1027	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1028	\$15 or all for \$240	07/26/10	10:45 a.m.
All	JOC Specs.	JOC 1029	\$15 or all for \$240	07/26/10	10:45 a.m.

Bids shall conform to Bidding Requirements, General Conditions, Specifications, and Unit Price Books open for inspection at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803. Copies of the above documents to be bid upon may be obtained at such office for a fee as indicated. For information regarding receipt of bid documents or project-related information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office located at the above address no later than the designated time and date indicated. Bids will be publicly opened, examined, and declared by Public Works at or about 11:00 a.m. on July 26, 2010, for JOCs 1010 through 1014, July 27, 2010, for JOCs 1015 through 1019, July 28, 2010, for JOCs 1020 through 1024, and July 29, 2010, for JOCs 1025 through JOC 1029 in Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.

Bidders must comply with the provisions of the Bidding Requirements and General Conditions concerning bid guarantee, contract bonds, and insurance requirements. These projects require the prime contractor to possess an active B license classification at the time of award. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

#### **MANDATORY PREBID CONFERENCE**

Public Works will hold a single mandatory prebid conference for all of the listed Job Order Contracts (JOC) on July 13, 2010, at 2:00 p.m. in Conference Room C, 900 South Fremont Avenue, Alhambra, California 91803, to provide information on the JOC, bidding process, and answer any questions that potential bidders may have. A bid submitted by a company that did not have a representative of the company sign in as being present at the mandatory prebid conference may be rejected as nonresponsive, and it is strongly recommended that the representative who attends the mandatory prebid conference for the company be a principal of the company or a person authorized to make decisions for the company.



### **OTHER INSTRUCTIONS**

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, relating to contracting with Community Business Enterprises.

All contractors and subcontractors shall be required to pay prevailing wages to all workers employed in the execution of these contracts in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Department of Public Works, Architectural Engineering Division, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803, which shall be made available to any interested party upon request.



The Board of Supervisors reserves the right to reject any or all bids or to waive technical errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations only, or for more ADA information, please contact our departmental ADA coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.

Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones solamente, o para mas información del ADA, pongase en contacto con nuestro coordinador del ADA del departamento al (626) 458-4081 o TDD (626) 282-7829, de Lunes a Jueves de las 7:00 a.m. a 5:30 p.m.

Enclosure  
June 29, 2010  
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By order of the Board of Supervisors of the County of Los Angeles, State of California, dated June 29, 2010.

SACHI A. HAMAI, EXECUTIVE OFFICER  
OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF LOS ANGELES